

IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED
CENTRAL FAX CENTER

MAR 31 2006

In re Application of: FRANK J. COLOMBO

Group Art Unit: 1772

Serial No: 10/827,197

Examiner: Marc A. Patterson

Filed: April 19, 2004

File No. H0002694 DIV1 (4760)

For: MULTILAYER FILM FOR USE IN CHEMICAL BARRIER PACKAGING

March 31, 2006

VIA FAX 571-273-8300

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement dated March 23, 2006, Applicant elects the invention of Group I, claims 1-21, with traverse.

REMARKS

Reconsideration and withdrawal of the Restriction Requirement are respectfully requested. In the Restriction Requirement there are presented the following groups: Group I = claims 1-21 and Group II = claims 22-34. However, it is respectfully pointed out that claims 22-34 were cancelled from this divisional application when the application was filed. In this regard, the Examiner's attention is respectfully directed to Box 2 on the Continuing Application Transmittal Form wherein it is stated that such claims are cancelled.

Serial No. 10/827,197

Response to Restriction Requirement dated March 23, 2006

Accordingly, it is respectfully submitted that the restriction is not required since only the claims of Group I are currently pending in the application. It is also pointed out that claims to the package (Group II in the above grouping) were prosecuted in the parent application, which has issued as U.S. Patent 6,767,601.

To be complete, Applicant has elected the claims of Group I, with traverse, based on the fact that only claims 1-21 are pending in the application. Applicant therefore submits that a withdrawal of the Restriction Requirement is in order.

Should there be any questions regarding the above, the Examiner is respectfully requested to telephone the undersigned. Applicant looks forward to receipt of a first action on the merits on all of the claims presented herein (claims 1-21).

Respectfully submitted,

Frank J. Colombo

By: Roger H. Criss

Roger H. Criss
(Their Attorney)
Reg. No. 25,570
(239-254-0971)

Roger H. Criss
1462 Via Portofino
Naples, FL 34108

Facsimile Certification

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office (FAX No. 571-273-8300) on March 31, 2006.

Roger H. Criss
Roger H. Criss

Date: March 31, 2006